

129-14-27. Financial eligibility. (a) Persons whose needs are to be considered in determining each child's eligibility.

(1) If the child lives with a parent or parents, the needs of all individuals in the filing unit in accordance with K.A.R. 30-14-2 shall be considered.

(2) If the child does not live with a parent and is under age 18, only the needs of the child and any siblings of the child who are in the family group shall be considered.

(3) If the child is age 18 and does not reside with a parent, only the needs of the child shall be considered.

(b) Poverty level determination. Total monthly income, as described above, shall not exceed a percentage of the official federal poverty income guidelines, as established in K.A.R. 30-6-103, to be determined by the secretary to be eligible for coverage. If the secretary determines that the program funds appropriated are insufficient to fund up to this income level, a lower income level shall be implemented by the secretary, and the changes shall be published by the secretary in the Kansas register.

(c) Continuous eligibility. Except for children determined eligible for presumptive medical assistance as specified in K.A.R. 129-14-52, each child who becomes eligible for coverage under this regulation shall continue to be eligible for 12 months beginning with the month in which the child is enrolled or reenrolled for coverage in the healthwave program, without regard to any changes in family income. The general eligibility requirements of K.A.R. 30-14-26 shall continue to be met. (Authorized by and implementing K.S.A. 2005 Supp. 75-7412; effective P-_____.)